



# CITY OF HOUSTON

Health and Human Services  
Department

## Bureau of Consumer Health Services

Health and Human Services  
Department  
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**Q: Can I serve food/beverages for the general public and visitors during the emergency situation, such as hurricane Katrina's effect in Louisiana, Mississippi?**

A: Food/beverages can be served only if it was prepared in an approved food establishment. Please contact your local Health Department for additional requirements.

**Q: Can I prepare meals and deliver to a site for distribution of food products?**

A: All foods must be prepared in an approved and licensed facility for service. Whether there is a charge for food or not, the requirements are the same. Foods prepared in an approved facility must be prepared and transported properly. Foods containing meat, poultry, seafood, dairy items must be maintained at a cold temperature of 41°F or below or 140°F or above at all times.

**Q: Can I donate any food?**

A: You can donate non-perishable and packaged food/beverages to a site where food donations are accepted. Do not prepare any meals for donation.

**Q: Do I need a special permit to serve meals to visitors in shelters?**

A: If the facility preparing and serving meals is an approved and licensed facility by your local Health Department, no additional permit is required. All foods must be prepared inside the approved and inspected kitchen. No outdoor food preparation is allowed.

If the facility preparing and serving meals is NOT an approved and licensed facility, a temporary food establishment permit must be obtained from our offices. The ordinance requires a 7-day advance notice to obtain a temporary permit, but can be waived under special circumstances by the Houston Department of Health and Human Services. The offices are located at 8000 North Stadium Drive, Second Floor in Houston. Please call 713.794.9200 for additional information.

**Q: What do I need to obtain a temporary food establishment permit? Can I complete this on-line?**

A: You must come to the office and bring with you: Property owner's agreement that allows you to serve food on the property; simple diagram showing the set up; appropriate fee (\$ 60 per day per booth up to 21 consecutive days). No on-line process is available at this time.

Guidelines and forms can be downloaded from the website: <http://www.houstontx.gov/health/Food/index.html> and selecting the [Temporary Food Permit Guidelines and Forms](#) link.

**Houston Food Ordinance Item 20-21.5 (k) requires:**

*Food donations.* Foods previously served to a consumer, foods in heavily rim- or seam-dented cans or packaged foods without the manufacturer's complete labeling shall not be donated. Donated foods shall be labeled with the name of the food, the source of the food and the preparation date of the food. A potentially hazardous food may be donated if:

- (1) The food has been kept at the required temperatures and the shelf life of the food has not been exceeded, as required under sections 20-21.3 and 20-21.4 of this Code;
- (2) The donor can substantiate that the recipient has the facilities to meet the storage, holding, heating, and reheating requirements of this article;
- (3) The temperature of the food is at or below 41°F (5°C) at the time of donation and is protected from contamination; and
- (4) If the food is transported by the recipient directly to the consumer, the recipient need only meet the transportation requirements, including holding temperatures, under these rules.

**What does this mean?**

- Food includes beverages according to Houston Food Ordinance.
- Hot prepared meals **can not** be donated.
- Packaged foods and beverages are allowed for donation.
- Cold prepared foods (sandwiches, etc.) can be donated as long as they are kept below 41°F.
- All donated food shall be safe and wholesome and not previously served to a customer.
- All donated food shall be labeled with the source and preparation date along with the name of the donated food.